

CAPE ORGANIZATION FOR RIGHTS OF THE DISABLED

114 Enterprise Rd., Hyannis, MA 02601
(508) 775-8300 / 1-800-541-0282
(Voice/TTY)

Federal Communications Commission
Office of the Secretary
1919 N Street, N.W.
Washington, D.C. 20554

January 25, 1996

To the Commission:

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FCC MAIL ROOM

The Cape Organization for Rights of the Disabled (CORD) is writing in response to your request for comments in the "Notice of Inquiry", **MM Docket No. 95-176, FCC 95-484** regarding Closed Captioning and Video Description of Video Programming.

CORD is a non-profit consumer advocacy agency with a 500 person membership. We have strongly advocated on a local level for the increased captioning of programs in our area. Enclosed is a report based on 12 months of grassroots advocacy efforts by many of our members to increase closed captioning of television shows presented by the three major network stations in Boston, MA. This need, as you are well aware, is not limited to the Boston area but is shared throughout the entire country.

The need for increased captioning is significant. In consideration of the number of hours of daily TV programming, it is safe to say that only a small percentage of shows are captioned. People who are deaf, hard of hearing, have a variety of learning disabilities, or for whom English is a second language (paragraph 11 and 12) are often without access to television, which is undoubtedly the critical medium for news, recreation, culture, and more and more education. Closed captioned TV is a key way for this population to be part of the country's mainstream.

Although network shows-- the ones produced directly for ABC, CBS, and NBC-- are increasing their captioning, the local shows, which still consume many hours during the programming week, are short of accessible programs. (paragraph 14)

Common complaints we received regarding the quality of the captioning that exists often talk of garbled or stripped captions, captions with strange letters and symbols and news programs that start out with captioning then leave the viewer without captioning when cutting to live reports. Many members find themselves in a understandable panic when live reports are about fires, weather conditions and other emergency situations. Caption users are left not knowing if these emergencies are specific to the area in which they reside -- wondering if they should be concerned, preparing for evacuation or heeding verbal recommendations for their safety. Captioning may also stop short of the end of the program so stations can prepare for the onset of the next program. (paragraph 33)

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We encourage the Commission to take any and all appropriate actions to provide equal for access for caption users to all programs. We support the legislation currently pending before Congress mandating the closed captioning of video programming, and which would require, if enacted, the Commission to study the uses of video description and the appropriate means of making video programming accessible to persons with visual disabilities.

Respectfully Submitted,

A handwritten signature in black ink that reads "Lisa Canto Nikula". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

Lisa Canto Nikula
Cape Organization for
Rights of the Disabled
114 Enterprise Road
Hyannis, MA 02601

Television for All!

The State of Closed Captioning
for the Three Network Stations in Boston



Cape Organization for Rights of the Disabled

- August 1995 -

TELEVISION FOR ALL!

During the past twelve months, the Cape Organization for Rights of the Disabled (CORD) has advocated for increased closed captioning of television shows presented by the three major network stations in Boston, Channels 4, 5, and 7.

The need for captioning is significant. In consideration of the number of hours of daily TV programming, it is safe to say that only a small percentage of shows are captioned. People who are deaf and hard of hearing and those learning English are often left on the outside of what is undoubtedly, in 1995, the critical American medium for news, recreation, culture, and, more and more, education. Closed captioned TV is a key way for people to be part-- if they so choose-- of the country's mainstream.

Following is a report on CORD's activities to date and recommendations for further action. For more information contact CORD at (508) 775-8300 (V/TTY), 114 Enterprise Road, Hyannis, MA 02601. Also contact CORD to obtain this booklet in an alternative accessible format.

The "Television for All" project has been spearheaded by CORD's Deaf and Hard of Hearing Independent Living Services (DHHILS) program and was greatly assisted by a Small Support Grant from the Administering Agency for Developmental Disabilities.

Why Channels 4, 5, and 7?

Members of CORD, notably those active with the DHHILS program, began speaking out at organization meetings about the shortage of closed captioned programs in the late summer of 1994. The passage of the Television Decoder Circuitry Act of 1990, in many ways an essential complement to the Americans with Disabilities Act, may have had something to do with this. The decoder law mandates that all new 13-inch or bigger TVs sold in the United States after July 1, 1993 must have built-in closed caption decoders. The right to equal access-- combined with increased means to achieve it-- has likely propelled people to want more captioning.

CORD members soon decided that their efforts for more captioning had to focus on the three major network stations in Boston. The reasons are these:

1. The stations reach the most people in the state, covering eastern and central Massachusetts and also being available on various cable services in other parts of the state.
2. The stations are affiliated with the major networks, a key point, yet they are nonetheless local stations. Dialogue was likely to be possible with actual decision makers in Boston.
3. The stations should have the resources to establish more captioning.

There is no question that various cable shows and independent stations, including locally produced ones, are gaining increased TV market shares. In the long run these stations must be approached about captioning. But the biggest bang for the buck, it was felt, would be achieved by contacting WBZ, WHDH, and WCVB.

What Have Channels 4, 5, and 7 Said to CORD?

Below is an update of where CORD stands in its communications with Channels 4, 5, and 7.

WCVB-TV 5

CORD contacted Channel 5 in March to request a meeting with the general manager. A prompt response discussing the station's commitment to captioning was received. CORD members agreed that, because WCVB has been a leader in captioning shows, attention would focus on the two other stations. A copy of the Channel 5 letter is appended in the back of this booklet.

WBZ-TV 4

Beginning in late winter, CORD began exchanging letters with Channel 4; staff turnover at the station, however, delayed a desired meeting until June 21. On that date, at CORD's Hyannis office, Public Affairs Director Lois Roach met with 25 CORD members. A compilation of key comments is below. The most essential elements of the meeting were that members of the Cape's deaf and hard of hearing community strongly articulated the general need for captioning; and Ms. Roach discussed how captioning is a financial concern for her station. Most meeting attendees felt she sincerely acknowledged people's concerns, but it was also clear that Channel 4 is not going to expand captioning without the contribution of outside resources. She also made it understood that when such captioning is provided by a donor such as Polar Beverages, the contributor receives a free promotion for their efforts. This translates into lost profit-making commercial time for the station. A listing of shows that are captioned on Channel 4 is in the appendix.

WHDH-TV 7

Channel 7 was the toughest nut to crack. Initially the station failed to respond to letters, and as of the release of this report, still had not agreed to meet with CORD. This has been a major concern because the station has not had any of its own shows captioned. But recent correspondence indicates that positive change is in the offering: the station informed CORD that they "have signed a contract that will enable us to have our 6 PM and 11 PM newscasts closed captioned beginning this Fall." CORD responded by commending the station-- and by still requesting a meeting (see appendix). The need for expanded captioning, the group feels, must be taken directly to the decision makers. Earlier in the year, when a news special was not captioned, approximately a dozen callers phoned WHDH to register their displeasure.

The Need for Captioning: The Words of Those Who Know the Most

Below are comments made by people attending CORD's June 21 meeting with Lois Roach of WBZ. These statements convey the great need for captioning; in no way should they be considered as specific to Channel 4, although that station is often used as a reference point.

Tom Driscoll: It is important for the children to have access to educational TV, life events, cartoons. It doesn't make any difference what show because if Billy who can hear is watching TV and little Joey cannot hear, he is not getting the same benefit. It is totally frustrating, it drives me nuts.

Paul Bless: Channel 4, at noontime doesn't have the CC (closed caption) on it. And the other important issue is when there is an emergency thing that comes on like weather, or emergency access, at certain places in certain communities, I want to know what is going on, but can't hear it, and can't read because it doesn't come across the TV side. I think that is a really important issue.

Lenore Hill: My main issue with Channel 4 is the noontime news is a big black hole. I think it is important to bring to -- bring to the people there at Channel 4 the information that we need to have all broadcasts be captioned for us. "We bring you a bulletin." We see the fire, we don't know where it is, and we don't know what is happening. "Oh my god, what is going on?" I have the TV on and I don't know. What we are really talking about is Civil Rights issues, if you can bring that back to people. Civil Rights for people to have captioning. It is simple.

Kim Bennett: We need Channel 4 to have all captions for deaf people to watch TV. Everyone. So we can understand everything and see things clearly. But you have to be fair to hearing people and deaf people. They should be equal. You know deaf people need their captions, yeah, hearing people have been used to watching TV for how long? It should be the same. We should have the same rights.

Fred Ralston: Without the captions we understand nothing that is going on. For recreation, news at noon, and anytime it is like -- it is like giving us blindfolds. There is nothing for us to get.

Joe Mulhall: I notice in the afternoon, and they are having their conversations and they are talking and I'm turning it up and up and I can't get what they are saying. I don't know what they are arguing about. I don't know what is going on. I need the captions. I want full closed captions. I don't like it when sometimes we have it, and sometimes we don't. I would like to be able to read and see what is being said.

What's Next?

The main conclusion CORD draws from this project to date-- it is an ongoing endeavor-- is that the words of those who most need captioning will best advance the provision of closed captioned television shows.

Stations are aware of the need for captions. But it is not a stretch to say that this is not a priority concern. Stations face numerous pressures; only by speaking out will deaf and hard of hearing people impress upon TV personnel the great need for more captioning. And though the actual network shows-- the ones produced directly for ABC, CBS, and NBC-- are increasing their captioning, the local shows, which still consume many hours during the programming week, are short of accessible programs. Increased captioning must become a station concern. Otherwise, with what energy will stations seek increased resources to underwrite the captioning? It is not likely any station will immediately dedicate money on its own to captioning. The Caption Center in Boston lists the cost of captioning (decoded line-21 style) for one hour at \$2,500.

CORD has interacted with the three major Boston television stations. It has spoken face to face with one station on why captions are needed. It plans to pursue further meetings with all three stations. It even complained strongly when Channel 7 didn't caption a news special; perhaps such citizen input was behind their decision to begin captioning their evening news shows? From all this one maxim is clear to CORD:

ACTION BY ALL CAN PRODUCE TELEVISION FOR ALL!



Appendix

Following are copies of correspondence pertinent to CORD's efforts to promote Television for All.

114 Enterprise Rd., Hyannis, MA 02601
(508) 775-8300 / 1-800-541-0282
(Voice/TTY)

Thank you.

Kelly M. Hallgren
Annaliene Knoblauch
KEITH ZIBLAT

Sincerely,
The CORD Membership

Roberta Sages
Pamela Burkley
Julie Volk
Lynn Tolson
Melissa Hargett
Paul W. Bles.
Pete McPhatt
JERR
B YRNICHA

Anna F. Lucas
Jeffrey
Lisa Ann Tibaldi
Kellam
Pat Martin
Diana Darrow
Abigail Martin
Kathleen Byrne
John X. Stig
Eleanor B. Senterre
George Bartolonee
Carl Meyer
Ernest R. Apperle
Katherine M. Ayala
John A. Marsteller
Diane Daugherty

Nancy Whitehouse
Vicki Trance
Diane Daugherty

James J. Mahoney
Kara Talerson
John H. Jones
John Morrison
Lee Sanson
David Gaskins

Leah Dan - B
Chris E. Driscoll

August 4, 1995

**WBZ RADIO AND
TELEVISION**

1170 SOLDIERS FIELD ROAD BOSTON MASSACHUSETTS 02134 TELEPHONE (617) 787-7000

Ms. Betty Lynch
Director of Deaf/Hard of Hearing
Independent Living Services
Cape Organization for Rights of the Disabled
114 Enterprise Road
Hyannis, MA 02601



WESTINGHOUSE BROADCASTING COMPANY

Dear Betty,

Thanks again for inviting me to address CORD about WBZ's closed captioning efforts.

I heard and I understand your need for having more of our local news programs closed captioned. Our 11pm newscast is currently sponsored through support from Polar Beverages. It's through sponsorships like this, that we're able to expand the programs we caption. We make this appeal to sponsors on a regular basis. However, we need your help. If there are inroads that you can help us make with potential sponsors, this could go a long way toward expanding our closed captioning efforts.

We look forward to hearing from you with any thoughts you might have. Again, it was nice to meet you and members of your organization.

Sincerely,

Lois Roach
Director of Public Affairs
WBZ-AM/TV

**WBZ RADIO AND
TELEVISION**

1170 SOLDIERS FIELD ROAD BOSTON MASSACHUSETTS 02134 TELEPHONE (617) 787-7000



WESTINGHOUSE BROADCASTING COMPANY

CBS/WBZ-TV CAPTIONING

June 1995

- an average of 12 1/2 hours of captioned programming each day
- 80-85 hours of captioned programming per week

PROGRAMS

- all of Prime Time
- all regularly scheduled CBS News
- 11pm - News 4 News
- all Daytime programming, including daytime dramas
- all children's programming
(CBS Storybreak has open captions to also help improve reading skills)
- all CBS Sports, including regional programming
(the entire NCAA Men's Basketball Tournament from all the games in the first round of 32 to the championship)
- Late Show with David Letterman
- Late Late Show With Tom Synder
- The Price Is Right

June 26, 1995

Ms. Betty Lynch
Cape Organization for the
Rights of the Disabled
114 Enterprise Road
Hyannis, MA 02601

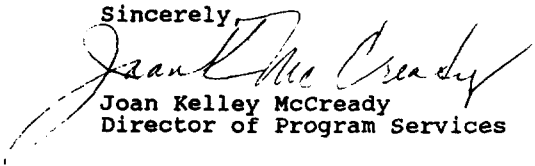
Dear Ms. Lynch:

I am writing in response to the letter which you sent to Karen Flaim. I apologize for the delay in responding. Karen is currently on family leave.

I think you'll be pleased to learn that we have just signed a contract that will enable us to have our 6PM and 11PM newscasts closed captioned beginning this Fall. In addition, we hope to have all of our newscasts closed captioned by the end of 1995.

Thank you for taking the time to write to us about this important issue. We appreciate your interest in Channel 7's programming.

Sincerely,


Joan Kelley McCready
Director of Program Services


AN NBC AFFILIATE

March 17, 1995

Paul La Camera
Vice President/
General Manager

Ms. Betty Lynch
Director of Deaf and
Hard of Hearing
Independent Living
Cape Organization for
Rights of the Disabled
114 Enterprise Road
Hyannis, MA 02601



Dear Ms. Lynch:

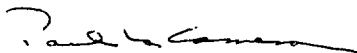
Thank you for your letter regarding the value and importance of closed captioning of television programming, a position with which we are in full agreement. In fact, as you may know, WCVB-TV was the first television station in the country to close caption its local evening news for which we have received numerous honors from local and national organizations. In addition, our network, ABC, was the absolute pioneer on the national level.

Today, virtually every program that appears on WCVB-TV is closed captioned for the deaf and hard of hearing, including WCVB's local evening newscasts and our "Chronicle" series. The one area that we still need to address is the early morning and noon newscasts.

But we are committed to securing the necessary corporate partnerships to close caption this one remaining area as well.

We welcome hearing of your shared interest on this important matter, and I will certainly keep you apprised of what I hope will be our early success in fully completing the closed captioning of WCVB-TV.

Sincerely,


Paul La Camera

5 TV Place
Needham Heights, MA
02194-2303

617.433.4000
617.449.3131 fax



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